

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :  
HILEY M. PEREZ : CASE NO. 5-21-00695  
: :  
Debtor : CHAPTER 13

\*\*\*\*\*  
CREDIT ACCEPTANCE CORP :

:  
Movant, :  
vs. :

HILEY M. PEREZ :

Respondents. :

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**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM**  
**AUTOMATIC STAY UNDER SECTION 362**

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AND NOW COMES, Hiley M. Perez, and files an Answer to Credit Acceptance Corp's Motion  
for Relief From the Automatic Stay:

1. Hiley M. Perez, (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with  
the U.S. Bankruptcy Court for the Middle District of Pennsylvania.

2. Charles J. DeHart, III, Esq. was appointed the Chapter 13 Trustee.

3. Under the Chapter 13 Plan, Debtor was to make regular monthly payments to the Movant  
outside of the Plan.

4. Movant alleges that Debtor has failed to make monthly car loan payments.

5. Debtor believes that not all payments made have been credited to her account.

Debtor is in the process of obtaining proof of said payments.

6. In the event there remains an arrears, the Debtor wishes to enter into a Stipulation to cure  
the arrears by including them in an amended Plan, or in the alternative over a six month period.

7. Movant is not entitled to relief from the automatic stay as there is equity in the property encumbered by Movant's security interest, arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: October 7, 2021

/s/Tullio DeLuca  
Tullio DeLuca, Esquire  
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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that on October 7, 2021, he caused a true and correct copy of  
Debtor's Answer to Santander Consumer USA's Motion for Relief from the Automatic Stay to be served  
via electronic filing to the CM/ECF participant at the following:

Jack N. Zaharopoulos, Esq. at [info@ramapo.com](mailto:info@ramapo.com)

William Craig, Esq. at [bcraig@mortoncraig.com](mailto:bcraig@mortoncraig.com)

Date: October 7, 2021

/s/Tullio DeLuca  
Tullio DeLuca, Esq.